

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (currently amended) A recombinant expression cassette comprising a promoter that is functional in plants operably linked with a coding sequence having a stop codon, the coding sequence being operably linked with a non-plant 3' termination sequence, wherein the non-plant termination sequence is heterologous to the coding sequence and comprises:

i. a cleavage site including a nucleotide sequence YA defining a position of endonucleolytic cleavage and subsequent 3' polyadenylation;

ii. a positioning element of 6 nucleotides located between 10 nucleotides and 40 nucleotides 5' of the cleavage site and with at least 4 out of 6 nucleotides being adenine;

iii. an upstream element that

(a) is located between 1 nucleotide and 250 nucleotides 5' of the positioning element; and

(b) comprises TAYRTA or two or more repeats of the TA, TG, or TA and TG where the repeats are separated by 0 to 10 nucleotides;

~~and is a nucleotide sequence having at least 60% sequence identity to a native fungal or native animal 3' termination sequence and less than 90% sequence identity to native plant 3' termination sequence~~ wherein the non-plant 3' termination sequence is a fungal 3' termination sequence.

2. (original) The recombinant expression cassette of claim 1, wherein the cleavage site is flanked by a pair of thymidine-rich regions, each thymidine-rich region:

a. comprising at least 6 nucleotide pairs of at least 80% thymidine; and

b. being within about 50 nucleotides of the cleavage site.

3. (original) The recombinant expression cassette of claim 1, wherein the promoter is a virus promoter.

4. (currently amended) The recombinant expression cassette of claim 1, wherein the 3' termination sequence has at least 70% 90% sequence identity to SEQ ID NO:1.
5. (cancelled)
6. (withdrawn) A method for isolating a recombinant protein, the method comprising:
- a. obtaining a polynucleotide encoding the recombinant protein;
  - b. constructing a recombinant expression cassette comprising a promoter that is functional in plants operably linked with the polynucleotide of step a, the polynucleotide being operably linked with and heterologous to the non-plant 3' termination sequence of claim 1;
  - c. transfecting a plant cell with the recombinant expression cassette;
  - d. expressing the recombinant protein in the plant cell; and
  - e. isolating the recombinant protein.
- 7.– 8. (cancelled)
9. (original) A recombinant plant cell comprising the expression cassette of claim 1.
10. (currently amended) The recombinant expression cassette of claim 1, wherein the non-plant 3' termination sequence has at least 70% sequence identity to a native fungal ~~or native animal~~ 3' termination sequence and less than 90% sequence identity to a native plant 3' termination sequence.
11. (currently amended) The recombinant expression cassette of claim 1, wherein the non-plant 3' termination sequence has at least 80% sequence identity to a native fungal ~~or native animal~~ 3' termination sequence and less than 90% sequence identity to a native plant 3' termination sequence.

12. (currently amended) The recombinant expression cassette of claim 1, wherein the non-plant 3' termination sequence has at least 90% sequence identity to a native fungal ~~or native animal~~ 3' termination sequence and less than 90% sequence identity to a native plant 3' termination sequence.

13. (currently amended) The recombinant expression cassette of claim 1, wherein the non-plant 3' termination sequence is ~~identical to~~ a native fungal ~~or native animal~~ 3' termination sequence.

14.– 17.(cancelled)